

Governor Paterson and Legislative Leaders Announce Agreement on Expansion of Health Care Benefits to 9/11 Workers

Friday, 20 June 2008

NEW YORK -- Governor David A. Paterson today joined state legislators in announcing an agreement to cover additional public workers who risked their health and safety in the rescue, recovery and clean-up efforts at the World Trade Center after the attacks of September 11, 2001. The changes embrace the unanimous recommendations of the bi-partisan September 11th Worker Protection Task Force.

Under the agreed-upon legislation, submitted to the Legislature by the Governor, the "presumptive accidental disability retirement benefit" now available to some 9/11 first responders will be extended to additional first responders. A panel of experts on the Task Force found that additional workers were exposed to the same toxins and psychological trauma as those originally covered.

"In the weeks that followed the attack on the World Trade Center, it became clear to me that there would be grave health consequences for the men and women who risked their lives by responding to the attack," said Governor Paterson. "The original legislation addressing this problem was well-intentioned but fell short in covering all first responders. With this agreement, we will fulfill our duty to additional groups of public workers involved in the rescue, recovery and cleanup after 9-11 by giving them the same benefits the prior law extended to other 9/11 workers employed by the State and New York City."

Additional first responders covered under this law include: (i) state and county corrections officers and deputy sheriffs; (ii) the non-uniformed first responders who were not required to undergo a pre-employment physical examination; (iii) 911 dispatchers; (iv) first responders who worked for any period of time within the first 48 hours after the first plane hit the World Trade Center; (v) emergency vehicle radio repair mechanics; (vi) vested members of a public pension system who terminated their employment prior to filing a claim; and (vii) workers who became disabled more than two years after 9/11 but before an extension was granted in the Workers' Compensation Law which would have covered them.

In addition, the registration deadlines for the accidental disability presumption and the Workers Compensation Law extension will be extended from the current dates of June 14, 2009, and August 14, 2008 to September 11, 2010.

Since many of the non-uniformed NYC and State workers at the site had not been required to undergo a pre-employment physical examination, a prerequisite to receiving benefits under the prior 9/11 legislation, the new law extends benefits to those employees if they provide access to medical records and demonstrate the absence of a prior qualifying condition prior to September 11, 2001. In addition, the geographic boundaries of

the 9/11 disability benefits law are being expanded to emergency vehicle garages and emergency call centers, because the Task Force found emergency vehicle radio repair mechanics were exposed to dust and 911 operators experienced psychological trauma that has led to disabilities similar to those suffered by workers at the World Trade Center site.

Finally, current law requires that claimants participated in the WTC rescue, recovery or cleanup operations for a minimum of 40 hours, but scientific evidence gathered by the Task Force has shown there was a "substantial risk" of developing respiratory, gastrointestinal and / or mental health disability for first responders at the site during the first 48 hours after the first aircraft hit the World Trade Center Towers. Therefore, the approved legislation covers any first responder who worked during the first 48 hours after the terrorist attacks on September 11, 2001.

Congresswoman Carolyn

Maloney said: "All New Yorkers should be proud that Governor Paterson and the State Assembly and Senate are leading the charge to take care of 9/11's heroes. It's time the federal government followed New York's lead and passed the Maloney-Nadler-Fossella-King 9/11 Health and Compensation Act. It is a moral imperative for our government to take care of Americans who risk their lives and health to save others in the aftermath of a terrorist attack. The contrast between the state and federal responses to this health crisis could not be starker: New York is finding new ways to help the heroes of 9/11, while the Bush administration is still trying to shirk this responsibility.

Congressman

Jerrold Nadler said: "Governor Paterson and the State Legislature should be applauded for coming together on this important issue. In the aftermath of 9/11, brave men and women came to New York to provide help at Ground Zero and unnecessarily exposed themselves to toxins and containments. We must support every effort to provide these workers with the proper medical treatment that they deserve. Following New York's lead, Congress must act to do more to help the living victims of 9/11."

Senate

Majority Leader Joseph L. Bruno said: "This legislation puts in place the recommendations of the September 11th Worker Protection Task Force and builds on previous legislation passed by the State Legislature to protect all those first responders who bravely risked their lives, their health and their safety immediately following the horrific 9/11 terrorist attacks. We thank Governor Paterson for his leadership, and our partners in government for their commitment to getting this done."

Senator

Martin Golden said: "We should treat our 9/11 first responders like the heroes they truly are. This agreement represents New York State's continuing commitment to those who were there for us on one of the darkest days in our Nation's history by recognizing that their service has affected their health. By eliminating concerns about health care coverage, for many of our State's first responders, we are saying thank you to our heroes and their families. They deserve nothing less."

Senate

Minority Leader Malcolm Smith said: "Governor Paterson has been a leader on the issue of health consequences for 9/11 workers since 2001. I commend the Governor and my colleagues for quickly reaching agreement on this legislation, which was long overdue. People from across the city, state, and country fearlessly risked their lives in an act of patriotism and their efforts should not be forgotten."

Assembly

Speaker Sheldon Silver said: "This measure is a simple matter of fairness for the men and women whose health has suffered in the aftermath of their work as first responders to the September 11th terrorist attacks on the World Trade Center.

I am pleased that Governor Paterson has followed the recommendation of the September 11th Worker Protection Task Force and made this a priority for our state. This legislation will extend health and disability benefits to these remarkable individuals-- including many who live or work in Lower Manhattan -- who served with such extraordinary dedication on September 11th and in the difficult days that followed New York City's terrorist attack."

Assembly

Minority Leader Jim Tedisco said: "This is terrific news for the heroes whose courage and selflessness lifted our hearts and bolstered our spirits in the wake of the September 11 terror attacks. This agreement represents just part of a profound debt of gratitude our nation owes to the 9/11 first responders. We must never forget their deeds so we may always remember their bravery."

Assemblymember Peter Abbate,

Chair of the Assembly Government Employees Committee, said: "By extending health and disability benefits to these additional workers, the Governor is acknowledging the vitally important tasks they performed on September 11th and the days following the devastating terrorist attack, as well as the fact that, in performing their duties, these workers were exposed to conditions that put their health at serious risk. It is important to note that the recommendation to provide benefits to these workers was based on the careful work of the bipartisan September 11th Worker Protection Task Force."

Assemblymember

Joseph Saladino, Ranking member of the Assembly Governmental Employees Committee, said: "I am pleased that we can announce today's agreement and send a message to the brave men and women who answered the call to rescue and recover their fellow New Yorkers. It is only right that we should protect these heroes and show them the respect they deserve. I came to Albany to bring reform and provide better service to the people of New York. By working with Governor Paterson, Leader Tedisco and my counterparts in the State Senate, we were able to bring this reform in the way of expanded services and care."

Lou Matarazzo, Vice Chairman of the September 11th Worker Protection Task Force, said: "This is welcome

news to the workers who risked their lives responding to the attack on the World Trade Center, but who were overlooked under the original legislation. This agreement goes a long way toward correcting those conditions.”

Lillian Roberts, Executive Director of District Council 37, New York City’s largest public employee union, said: “DC 37 is pleased to see that this new legislation, covering pension disability benefits for 9/11 rescue and recovery workers, extends the deadline for filing Workers’ Compensation claims and eliminates the requirement for pre-employment physicals for pension disability, which has been a barrier to the civilian rescue and recovery workers DC 37 represents.”

The Task Force includes members appointed by the Governor, Speaker of the Assembly, Majority Leader of the Senate, the Mayor of the City of New York, the State and City Comptrollers, the State Commissioners of Health, Labor and Civil Service and the Director of the State Division of Budget. It is charged with making recommendations regarding the adequacy of coverage and treatment for disabilities resulting from the rescue, recovery and clean-up after September 11, 2001. On March 4, 2008 the Task Force released an Interim Report, including a Report of the Doctor’s Committee to the Task Force, which can be found on the Department of Labor’s website:
http://www.labor.state.ny.us/pressreleases/PDFs/911_WPTF_Interim_Report_March_4_2008.pdf.